



Appeal Decision

Site visit made on 8 May 2025

by **R Gravett BA(Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 12 June 2025

Appeal Ref: APP/W4705/D/25/3360004

3 West Way, Shipley, Bradford BD18 4HW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Sammi Obaid against the decision of City of Bradford Metropolitan District Council.
 - The application Ref is 24/04119/HOU.
 - The development proposed is conversion of a detached garage to living accommodation part of the existing house.
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Decision

1. The appeal is allowed and planning permission is granted for conversion of a detached garage to living accommodation part of the existing house at 3 West Way, Shipley, Bradford BD18 4HW in accordance with the terms of the application, Ref 24/04119/HOU, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with drawing nos: Location Plan; Existing Plans & Elevations (WEST-01-20); and Proposed Plans & Elevations (WEST-02-20).

Main Issue

2. The main issue is whether the proposed development would provide acceptable living conditions for future occupants with regards internal living space.

Reasons

3. 3 West Way (No 3) is a two-storey semi-detached dwelling located at one end of West Way, a residential cul-de-sac. To the side is a detached garage and it is proposed to convert this to provide additional living accommodation as part of the main dwelling.
4. The 'Technical housing standards – nationally described space standard' (NDSS) deal with internal space within new dwellings and set out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy, as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling height. The Council have calculated the internal floor space of the garage to be around 30.8sqm which falls below the minimum standard set out in the NDSS for a 1 person, 1 storey dwelling with shower room. However, the NDSS deals only with new dwellings. No proposal for a separate or

new dwelling is before me and consequently the NDSS minimum gross internal space standards are not determinative in this case.

5. The proposed additional living accommodation would be arranged with a kitchen/lounge area and a double bedroom and shower room. It would benefit from an acceptable level of natural light, but because of its constrained size, there would be minimal space for internal circulation or any genuine storage. Nevertheless, the conversion would provide basic amenities for day-to-day living and the appellant's evidence is that it would accommodate an elderly relative who would rely on the main dwelling for essential facilities such as laundry, cooking and additional storage. The use would therefore be part and parcel of the main dwelling, with comings and goings between the two, a close physical relationship and a familial relationship between the occupiers. Given this, the internal space of the garage conversion would be sufficient for its intended purpose.
6. I therefore conclude that the proposed development would provide acceptable living conditions for future occupants with regards internal living space. It would accord with policies DS5 and HO9 of the Core Strategy Development Plan Document (2017) which together, amongst other things, requires good design and that development proposals do not harm the amenity of prospective users.

Other Matters

7. It is proposed to replace an existing window to the rear of the garage with double patio doors, with a Juliet balcony, which would serve the kitchen/lounge area of the conversion. These patio doors would face toward the neighbour to the rear at 19 Nab Wood Rise (No 19). There is a relatively low stone wall and landscaping along the common boundary between No 3 and No 19 and consequently, there is already some overlooking between the gardens of these dwellings. However, the garage is offset a reasonable distance from the boundary and any overlooking from the proposed patio doors would be toward the end of No 19's garden, which does not currently benefit from a high degree of privacy. I am therefore satisfied that the proposed development would not result in further loss of privacy, such that it would cause harm to the living conditions of these neighbours.
8. The additional living accommodation would be occupied by an elderly relative, who would share some facilities and, as a result, there would be comings and goings between the converted garage and main dwelling. However, these comings and goings are unlikely to be substantively different in nature than the daily use of the existing garage and I have no evidence before me, nor am I persuaded, that the proposed development would result in an increase in noise, or conversations being overheard.
9. Although on-street parking along West Way is an issue because of the absence of a turning head at the end of the cul-de-sac, I observed that the existing driveway to the side of No 3 is sufficient to comfortably accommodate the two off-street parking spaces required by a dwelling of this size. Moreover, the Council's Highways Officer raised no objection to the proposed development provided it remains ancillary to the main dwelling and based on my observations on site I have no reason to form a different view.
10. The issue of impact on the resale of neighbouring properties has been raised but it is a well-founded principle that the planning system does not exist to protect private interests such as value of land or property. I also note that the Council are

satisfied that the application was publicised in accordance with the regulations set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015 and I have no evidence before me to dispute this.

Conditions

11. In addition to the standard time limit condition, I have imposed a condition requiring that the development is carried out in accordance with the approved plans for the avoidance of doubt and in the interests of certainty.
12. The Council have suggested that a condition is imposed which would require that the detached annex only be occupied in connection with and incidental to the occupation of the existing dwelling and shall at no time be severed and occupied as a separate, independent unit. The proposal is described as living accommodation as part of the existing dwelling and if there is a material change of use in the future to create a separate dwelling or independent unit, then a separate grant of planning permission would be required. The building would be at risk of enforcement action if such permission is not granted. For this reason, a condition limiting the use to that proposed would not be necessary.

Conclusion

13. For the above reasons the proposal accords with the development plan and there are no material considerations to indicate a decision should be taken other than in accordance with it. Therefore, the appeal is allowed.

R Gravett

INSPECTOR